

EXHIBIT 3 TO PROPOSED PRETRIAL ORDER

Plaintiff WSFS's Exhibit List

WSFS may introduce the following documents at trial. The listing of these documents by WSFS is not a concession that they are relevant or that the issues that they may relate to are relevant. WSFS incorporates by reference all documents listed by defendant Truist as its exhibits for trial. WSFS also reserves the right to timely supplement its list of exhibits.

- P1. Statement of Stipulated Facts (Joint Pretrial Order)
- P2. Stock Purchase Agreement dated June 24, 2010 (Kehoe Dep. Exs. 2 and 3)
- P3. Timeline of Universitas Arbitration Events (demonstrative)
- P4. Resume of Joseph P. Davis III
- P5. April 28, 2015 letter from Jody Davis to Scott Fainor (Kehoe 6)
- P6. Resume of John Cannavino
- P7. Resume of Jay Levin
- P8. Resume of Meghan Finnerty

[The following exhibits are documents exchanged between WSFS and National Penn regarding the demand for indemnification.]

- P9. Email string from May 4, 2015 (Kehoe 5)
- P10. Email string from May 8, 2015 (Kehoe 7)
- P11. Email string from May 9, 2015 (Kehoe 8)
- P12. Email string from June 11, 2015 (Kehoe 18)
- P13. Email string from June 22, 2015 (Kehoe 19)
- P14. Email string from June 22, 2015 (Kehoe 20)
- P15. Letter dated July 2, 2015 (Kehoe 21)
- P16. Letter dated August 11, 2015 (Kehoe 23)
- P17. Email string from October 30, 2015 (Kehoe 27)

- P18. Email string from November 20, 2015 (Kehoe 28)
- P19. Letter dated January 11, 2016 (Kehoe 29)
- P20. Letter dated March 31, 2016 from JD to the Arbitrator (Olsen 12)
- P21. Email string from May 16, 2016 (Kehoe 34)
- P22. Carpenter Superseding Indictment May 14, 2014 (WSFS60981-61043)
- P23. Decision of CT Sup. Ct. in PHL case (Kehoe 48)
- P24. Verdict and Special Findings in *United States v. Carpenter*, June 6, 2016 (Kehoe 47)

- P25. Email string from August 29, 2016 (Kehoe 36)

[The following exhibits are documents exchanged between Cozen O'Connor, Greenberg Traurig and Drinker Biddle regarding the Universitas arbitration and agreed to be authentic by Truist.]

- P26. Email string from P.G. Kircher to S. Baker dated July 17, 2017 (Olsen 25)
- P27. Email string dated September 22, 2017 from Drinker Biddle to Cozen O'Connor (WSFS00046197-WSFS00046198)
- P28. Letter dated September 28, 2017 from J. Cunningham to S. Baker (Olsen 26)
- P29. Email string from September 29, 2017 from J. Cannavino to J. Olsen (WSFS00030972-WSFS00030973)
- P30. Letter dated October 18, 2017 from J. Cunningham to M. Miller (WSFS00000001)
- P31. Letter dated October 19, 2017 from Jay Levin to Steve Baker (WSFS00000191-WSFS00000192)

P32. Letter dated November 2, 2017 from Drinker Biddle to Greenberg Traurig (WSFS00030676-WSFS00030677)

P33. Email dated November 3, 2017 from Greenberg Traurig to Drinker Biddle attaching documents (WSFS00023334)

P34. Letter dated November 3, 2017 from Drinker Biddle to Cozen O'Connor (WSFS00022742-WSFS22743)

P35. Letter dated November 3, 2017 from Greenberg Traurig to Drinker Biddle (WSFS00024785)

P36. Letter dated November 3, 2017 from Drinker Biddle to Offit Kurman (WSFS00030704-WSFS00030705)

P37. Letter dated November 10, 2017 from Cozen O'Connor to Drinker Biddle (Olsen 27)

P38. Email dated November 27, 2017 from Greenberg Traurig to Drinker Biddle with attached documents (WSFS00023007)

P39. Email string dated November 27, 2017 from Greenberg Traurig to Drinker Biddle (WSFS00023762-WSFS00023764)

P40. Email dated December 21, 2017 from Greenberg Traurig (WSFS00023175)

P41. Email string dated January 3, 2018 from Drinker Biddle to Cozen O'Connor (Olsen 28)

P42. Email string dated January 9, 2018 from Drinker Biddle to Cozen O'Connor (WSFS00022639-WSFS00022641))

P43. Settlement Agreement between WSFS and Universitas (Olsen 16)

P44. Email dated February 20, 2018 from Cozen O'Connor to Drinker Biddle
(WSFS000022635)

P45. Email string dated February 27, 2018 from Cozen O'Connor to Drinker Biddle
(Olsen 30)

P46. Letter dated October 4, 2017 from Offit Kurman to Drinker Biddle
(WSFS00000002-WSFS00000006)

P47. Letter dated November 9, 2017 from Offit Kurman to Drinker Biddle
(WSFS00000007)

P48. Letter dated October 19, 2017 from Offit Kurman to Drinker Biddle
(WSFS00000191-WSFS00000192)

P49. Email string dated June 1, 2018 from Drinker Biddle to Cozen O'Connor
(WSFS00022686-WSFS00022688)

P50. Original Arbitration Complaint in Universitas v. WSFS (April 6, 2015)

P51. Second Amended Arbitration Complaint in Universitas v. WSFS (May 25, 2016)

P52. UE arbitration post-hearing opening brief

P53. WSFS arbitration post-hearing opening brief (Olsen 13)

P54. UE arbitration post-hearing reply brief

P55. WSFS arbitration post-hearing reply brief (Olsen 14)

P56. Written Report of Honorable Lawrence F. Stengel dated November 10, 2020
(Stengel 2)

P57. Resume of Robert J. Keach (Keach 2)

P58. Capture from Bornstein Shur Website (Keach 3)

P59. Capture from Bornstein Shur Website (Keach 4)

- P60. Letter dated September 28, 2017 (Keach 7)
- P61. Deposition of John Olsen September 30, 2020 (Keach 8)
- P62. Disclosures by WSFS in SEC filings regarding the Universitas arbitration
- P63. Email correspondence between Cozen O'Connor and Morgan Lewis regarding tolling of prejudgment interest.
- P64. Written Report of Mr. Robert Keach dated December 8, 2020 (Keach 1)
- P65. Reply Written Report of Honorable Lawrence F. Stengel dated December 23, 2020 (Stengel 3)
- P66. Compilation Spreadsheet of Indemnified Costs and Expenses of WSFS (Joint Pretrial Order)
- P67. WSFS Outside Counsel and Vendor Invoices
- P68. Samples of Outside Counsel Invoices
- P69. Docket in CT Arbitrability Litigation (Olsen 22)
- P70. December 20, 2018 Judgment (Kehoe 49)
- P71. Email dated May 29, 2015 from Sean Kehoe to Sandra Bodnyk (Kehoe 50)
- P72. Email string dated July 2, 2015 from Sean Kehoe to Paul Jaskot (Kehoe 51)
- P73. "The Latest Developments in STOLI and Other Schemes" paper by Joseph E. Laska (Kehoe 52)
- P74. September 23, 2013 correspondence from Louisa Sargent to Sandi Cox (Kehoe 58)
- P75. September 30, 2013 correspondence from Traci Rea to Louisa Sargent (Kehoe 59)
- P76. Corporation and Wilmington Savings Fund Society, FSB's Complaint (Kehoe 60)

Plaintiff reserves the right to use all or any portions of all transcripts of depositions taken in this action or all purposed permitted under Federal Rules of Evidence and the Federal Rules of Civil Procedure including, without limitation, as admissions or for impeachment or rebuttal.

Plaintiff reserves the right to offer any of the exhibits listed on the Defendant's exhibit list.

Plaintiff reserves the right to use for proper purposes all or portions of the parties' pleadings in this or related actions, including any complaints, answers , and other motions, briefs or letters filed with the Court, as well as any statements made by counsel for the parties at any hearing related to this or related actions. The Plaintiff reserves the right to use for proper purposes all or portions of the parties' responses to discovery requests and interrogatories, Rule 26 disclosures, expert disclosures (including reports), privilege logs and correspondence related to discovery. By making these reservations, the Plaintiff in no way waives its right to object to the Defendant's offering such documents.

Plaintiff reserves the right to introduce exhibits in graphic and/or summary form.

Plaintiff reserves the right to supplement its exhibit list upon timely notice to Defendant.